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Attorneys for Defendant
NUANCE COMMUNICATIONS, INC.

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

THE PHOENIX INSURANCE
COMPANY, a Connecticut corporation;
THE TRAVELERS INDEMNITY
COMPANY, a Connecticut corporation;
THE TRAVELERS INDEMNITY
COMPANY OF CONNECTICUT, a
Connecticut corporation; TRAVELERS
PROPERTY CASUALTY COMPANY OF
AMERICA, a Connecticut corporation,

Plaintiffs and Counter-
Defendants,

v.

INFINITY CONTACT, INC., an Iowa
corporation; and NUANCE
COMMUNICATIONS, INC., a Delaware
corporation,

Defendants and Counter-
Claimants

CASE NO. 5:13-cv-05905-BLF

JOINT STIPULATION AND
~~PROPOSED~~ ORDER TO REVISE
BRIEFING SCHEDULE FOR
OPPOSITION AND REPLY TO
PLAINTIFFS' MOTION FOR
SUMMARY JUDGMENT

DEMAND FOR JURY

Courtroom: 3
Judge: Hon. Beth Labson Freeman
Floor: 5

Pursuant to Federal Rule of Civil Procedure 6(b) and Local Rules 6-1(b) and 6-2, Defendant NUANCE COMMUNICATIONS, INC. (“Nuance”) and Plaintiffs THE PHOENIX INSURANCE COMPANY, THE TRAVELERS INDEMNITY COMPANY, THE TRAVELERS INDEMNITY COMPANY OF CONNECTICUT, and TRAVELERS PROPERTY CASUALTY COMPANY OFAMERICA (collectively, “Plaintiffs”) (together, with Defendant, the “Parties”), through their undersigned counsel, hereby file the following stipulated request to extend the briefing schedules with respect to Plaintiffs’ Motion for Summary Judgment Against Defendant Nuance Communications, Inc., Docket Entry No. 52 (“Motion”), so that Defendant’s opposition to the Motion will be filed on or before August 15, 2014, and Plaintiffs’ reply brief in support of the Motion will be filed on or before September 5, 2014. In support of this request, the Parties stipulate as follows:

WHEREAS, on June 2, 2014, the Court issued a Case Management Order, Docket Entry No. 46 (“Order”) setting forth the following schedule with respect to motions for summary judgment:

Parties to file Cross-Motion for Summary Judgment	June 30, 2014
Response to Motion for Summary Judgment	July 30, 2014
Reply to Motion for Summary Judgment	August 20, 2014
Motion for Summary Judgment Hearing	November 6, 2014 at 9:00 a.m.

WHEREAS, on June 30, 2014, Plaintiff filed its Motion with this Court;

WHEREAS, on July 15, 2014, the Parties initiated discussions relating to potential settlement of this action;

WHEREAS, in order to further explore potential settlement of this action, the Parties have agreed to extend Defendant’s deadline to file its opposition to the Motion until Friday, August 15, 2014;

WHEREAS, the Parties have further agreed to extend Plaintiffs’ deadline to file its reply to the Motion until Friday, September 5, 2014;

1 WHEREAS, the Parties agree that the Court should hold a hearing on the Motion on the
2 same date as previously scheduled;

3 WHEREAS, no Party will be prejudiced by the relief requested in the stipulation;

4 WHEREAS, no Party previously has requested an extension of time with respect to the
5 Motion; and

6 WHEREAS, this extension will not substantively affect the overall case schedule given the
7 Order requires a hearing the Motion to occur on November 6, 2014, which shall remain unchanged.

8 WHEREAS, this stipulation is without prejudice to, or waiver of, any rights or defenses
9 otherwise available to the Parties in this action;

10 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, between the parties
11 hereto that:

- 12 1) Defendant Nuance Communications, Inc., shall have through and including **August 15,**
13 **2014**, to file its opposition to Plaintiffs' Motion for Summary Judgment; and
14 2) Plaintiffs shall have through and including **September 5, 2014**, to file their reply in
15 support of Plaintiffs' Motion for Summary Judgment.
16

17 **IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.**
18

19 Dated: July 18, 2014

Respectfully submitted,

20 By: /s/ Mark D. Peterson

21 Mark D. Peterson

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25 *Attorneys for Plaintiffs*

26 *The Phoenix Insurance Company, The*

Travelers Indemnity Company, The Travelers

27 *Indemnity Company of Connecticut, and*

Travelers Property Casualty Company of
28 *America*

1 Dated: July 18, 2014

Respectfully submitted,

2 By: /s/ Nicole L. Chessari

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10 *Attorneys for Defendant*
11 *Nuance Communications, Inc.*

12 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

13 DATED: July 22, 2014

14 
15 HONORABLE BETH LABSON FREEMAN
16 United States District Judge